

103^D CONGRESS
2^D SESSION

H. R. 4969

To amend the Communications Act of 1934 to limit the rates and charges that may be imposed on interstate and foreign communications made through providers of operator services.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 16, 1994

Mr. SCHUMER (for himself, Ms. VELÁZQUEZ, Mr. SERRANO, Mrs. LOWEY, and Mr. OWENS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to limit the rates and charges that may be imposed on interstate and foreign communications made through providers of operator services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT.**

4 Section 226(h) of the Communications Act of 1934
5 (47 U.S.C. 226(h)) is amended to read as follows:

6 “(h) DETERMINATIONS OF RATE COMPLIANCE.—

7 “(1) FILING OF INFORMATIONAL TARIFF.—Un-
8 less the Commission has established a billed-party

1 preference system in accordance with paragraph (3)
2 and a provider of operator services is in compliance
3 with such system, such provider of operator services
4 shall file with the Commission, and shall maintain,
5 update regularly, and keep open for public inspection
6 at its principal offices, an informational tariff
7 specifying rates, terms, and conditions, and including
8 any commissions, surcharges, and fees which are
9 collected from consumers, and reasonable estimates
10 of the amount of traffic priced at each rate, with respect
11 to calls for which operator services are provided.
12 Any changes in such rates, terms, or conditions
13 shall be filed no later than the first day on
14 which the changed rates, terms, or conditions are in
15 effect.

16 “(2) REVIEW OF INFORMATIONAL TARIFFS.—
17 The Commission shall review the informational tariffs
18 filed under paragraph (1) to determine whether
19 the rates and charges filed appear to be just and
20 reasonable. If the rates and charges filed by any
21 provider of operator services under paragraph (1)
22 appear upon review by the Commission to be unjust
23 or unreasonable, the Commission shall require such
24 provider of operator services to demonstrate that its
25 rates and charges are just and reasonable.

1 “(3) RULES GOVERNING DETERMINATIONS.—

2 The Commission shall, by rule, prescribe a standard
3 for rendering determinations under paragraph (2).

4 Such standard shall consider any such rate or
5 charge to be unjust and unreasonable if such rate or
6 charge exceeds whichever of the following the Com-
7 mission determine is most consistent with the public
8 interest and the protection of consumers:

9 “(A) The rate or charge for the same serv-
10 ice of the dominant common carrier providing
11 such service.

12 “(B) The weighted average of the charges
13 contained in the tariffs filed by other operator
14 services providers, weighted by traffic volume
15 among such providers.

16 The Commission shall, by regulation, define domi-
17 nant common carrier for purposes of this paragraph.

18 “(4) INAPPLICABILITY AFTER IMPLEMENTA-
19 TION OF BILLED PARTY PREFERENCE.—The re-
20 quirements of this subsection shall not apply to a
21 provider of operator services if the Commission has
22 established by regulation, and such provider of oper-
23 ator services has implemented, a billed-party pref-
24 erence system that provides automatic routing of

- 1 calls to the billed party's preferred provider of oper-
- 2 ator services.".

